IN THE HIGH COURT OF JUDICATURE OF ANDHRA PRADESH
AT HYDERABAD

MONDAY THE TWENTY FOURTH DAY OF NOVEMBER
TWO THOUSAND AND THREE
: PRESENT:
THE HON'BLE Mr. JUSTICE: **C.Y. SOMAYAJULU**

CRIMINAL PETITION No**. 5205 of 2003**

Between:

Mohd. Allauddin S/o late Sadruddin

.. Petitioner/(Accused in Cr. No.376/2003 on the file of P.S., I Town Karimnagar)

And

The State of A.P., through Police I Town Karimnagar District Karimnagar rep by P.P.,

…...

Respondent/
Complainant

COUNSEL FOR PETITIONER: Mr. Mohd Ghulam Hussain
COUNSEL FOR RESPONDENT: Addl. Public Prosecutor.

Petition filed under Section 438 of Crl. P. C. praying that the High Court may be pleased to grant anticipatory bail to the Petitioner in Crime No. 376/2003 Police Station I Town Karimnagar in the event of arrest

The Court made the following:

ORDER:

This is an application for Anticipatory bail filed by the accused in Crime No. 376 of 2003 of Karimnagar, I Town Police Station registered under Section 354 of IPC.

One Bolisetty Padmaja, aged about 20 years, a third year B. Tech student, gave a report to the Police alleging that when she reached near her hostel from the college at about 6.00 pm. An unknown person aged about 25 to 30 years came on a Hero Honda Motor Cycle Bearing No. AP 15 N-987 and obstructed her and claiming himself to be a Police man caught hold of her hand with an evil intension and when she raise alarm he sped away.

That report was registered under section 354 of IPC.

The Contention of the learned counsel for the Petitioner is that though petitioner is not connected with the alleged offence , Police are trying to arrest him in connection with the crime on the basis that he is the owner of the motor cycle mentioned in the First Information Report and since the Petitioner is a married person with children and has not committed the offence alleged, he may be granted the bail sought.

The learned Additional Public Prosecutor opposed the application contending that the case is still under investigation.

Since the Petitioner claims that he is a person aged 40 years and since

the First Information Report shows that the offence was committed by a person aged 25 to 30 years , petitioner can be granted the bail sought on some terms and conditions.

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The Petitioner shall surrender before the Station House Officer, I Town Police Station, Karimnagar, in Cr.No. 376 of 2003 within one week from today. On such surrender, he shall be enlarged on bail on his executing a bond for Rs. 7,500/- (Rupees Seven Thousand and Five Hundred only) with two sureties each in a like sum to the Satisfaction of the Station House Officer, I Town Police Station, Karimnagar Subject to the condition that he should make himself available to the Police for interrogation as and when required by them in connection with the said crime and also report his presence before the station House Officer, I Town Police Station, Karimnagar between 9.00 A.M and 10.00 A.M. on every day for a period of Two months, after his release.

ASSISTANT REGISTRAR

// TRUE COPY //

for ASSISTANT REGISTRAR

To

1. The I Addl. Sessions Judge, at Karimnagar
2. The S.H.O., I Town P.S. , Karimnagar
3. Two CC's to the Public Prosecutor, High Court of A.P., Hyderabad (OUT)
4. One CC to Mr. Mohd. Ghulam Hussain, Advocate , High Court of A.P., Hyd (OPUC)
5. One Spare Copy

Skm

HIGH COURT

CYS,J

DATE: 24-11-2003

CRL.P.NO. 5205/2003

ANTICIPATORY BAIL

SKM
DRAFTED ON: 25-11-2003

HIGH COURT

CYS,J

DATE: 24-11-2003

CRL.P.NO. 5205/2003

ANTICIPATORY BAIL